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§6618. Notice of Applications.

(a) The requirements of this subsection apply to pesticide applications made to property for the commercial or research production of an agricultural plant commodity.

(1) Prior to the application, each person performing pest control shall assure that the operator of the property receives notice of the scheduled application. The notice shall be in a manner the person can understand and include:

- (A) The date of the scheduled application;
- (B) The location and description of the area to be treated;
- (C) The product name, EPA registration number, and active ingredient;
- (D) Precautions to be observed as printed on the pesticide product labeling or included in applicable laws or regulations;
- (E) The applicable restricted entry interval; and
- (F) If the pesticide product labeling requires the posting of treated fields.

(2) If there is a change in the date of the scheduled application, each person performing pest control shall assure that the operator of the property receives notice of this change prior to the application.

(3) Prior to any application, the operator of the property shall assure that notice is given to the following persons who may be in, or are likely to enter or walk within ¼ mile of the field during the date of the application, (except for the persons who will apply or supervise the application for which the notice is intended):

- (A) Employees of the operator of the property;
- (B) Any contractor hired by the operator of the property; and
- (C) Employees of any contractor hired by the operator of the property.

(4) Prior to any application, any pest control business or labor contractor hired by the operator of the property shall assure that notice is given to his or her employees who may be in, or are likely to enter or walk within ¼ mile of the field during the date of the application (except for the persons who will apply or supervise the application for which the notice is intended).

(5) The notices in subsections (a)(3) and (a)(4) are not required when a field is posted as specified in subsections 6776 (b-d), unless the pesticide product labeling requires both oral notification to fieldworkers and the posting of treated fields.

(6) Prior to any application, the operator of the property shall assure that notice is given to persons, other than specified in subsection (a)(3), whom the operator would have reason to know would be in or likely to enter the field during the application. This subsection is not applicable to persons trespassing on the property, or transiting through the property on roads, trails or footpaths. This notice is not required when a field is posted as specified in subsections 6776 (b-d).

(7) The notice specified in subsections (a)(3), (4) and (6) shall be in a manner the person can understand and include:

- (A) The location and description of the area scheduled to be treated;
- (B) The date of the scheduled application; and
- (C) Instructions not to enter the area scheduled to be treated on the date of the scheduled application.

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(b) The requirements of this subsection apply to pesticide applications made to property for purposes other than the commercial or research production of an agricultural plant commodity.

(1) Prior to the application, each person performing pest control shall assure that the operator of the property receives notice of the application. The notice shall be in a manner the person can understand and include:

(A) the date of the application;

(B) The identity of the pesticide by brand or common or chemical name; and

(C) Precautions to be observed as printed on the pesticide product labeling or included in applicable laws or regulations.

(2) The operator of the property shall assure that notice is given to all persons who are on the treated property, or likely to enter during the application or the period of time that any restrictions on entry are in effect, except for the persons who made or supervised the application for which the notice is intended. The notice shall be in a manner the person can understand and include:

(A) The date of the application;

(B) The identity of the pesticide by brand or common or chemical name; and

(C) Precautions to be observed as printed on the pesticide product labeling or included in applicable laws or regulations.

(3) Compliance by licensed Structural Pest Control Operators with the notice requirements of section 8538 of the Business and Professions Code meets the requirements of this section.

(4) Compliance by public agencies with the notice or barrier requirements of section 12978 of the Food and Agricultural Code meets the notice requirements of this section.

* We did not use strikeout/underline to indicate changes since this section is completely reorganized and all the agricultural production sections were completely re-written.

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§6619. Notice of Completed Applications.

(a) In addition to the notice required pursuant to Section 6618, any person applying pesticides for the production of an agricultural commodity shall assure that the operator of the property treated receives notice within 24 hours of completion of the pesticide application. This notice shall include the following information:

(1) The location of the property, including the site identification number, and acreage treated;

(2) The pesticide(s) applied;

(3) The date and hour the application was completed; and

(4) The applicable reentry and pre-harvest intervals, unless a copy of a written recommendation made by a licensed agricultural pest control adviser, properly completed, was given to the operator of the property treated.

(b) The operator of the property shall assure that notice is given to the following persons who are likely to enter or walk within $\frac{1}{4}$ mile of the field during the restricted entry interval:

(1) Employees of the operator of the property;

(2) Any contractor hired by the operator of the property; and

(3) Employees of any contractor hired by the operator of the property.

(c) Any pest control business or labor contractor hired by the operator of the property shall assure that notice is given to his or her employees who may be in, or are likely to enter or walk within $\frac{1}{4}$ mile of the field during the restricted entry interval.

(d) The notices specified in subsections (b) and (c) shall be in a manner the person can understand and include:

(1) The location and description of the treated area;

(2) The time during which entry is restricted;

(3) Instructions not to enter the field or area, except as provided in section 6770, until the restricted entry interval has expired; and

(e) The notices specified in subsections (b) and (c) are not required when a field is posted as specified in subsections 6776 (b –d), unless the pesticide product labeling requires both oral notification to fieldworkers and the posting of treated fields.

(f) The operator of the property shall assure that notice is given to persons, other than specified in subsection (b), whom the operator would have reason to know would be in or likely to enter the field during the restricted entry interval.

(1) The notice shall be in a manner the person can understand and include:

(A) The location and description of the treated area;

(B) The time during which entry is restricted; and

(C) Instructions not to enter the field or area until the reentry interval expires.

(2) This subsection is not applicable to persons trespassing on the property, or transiting through the property on roads, trails or footpaths.

(3) This notice is not required when a field is posted as specified in subsections 6776(b-d).

(g) The agricultural pest control business shall maintain a written record which documents the following:

(1) The name of the operator of the property treated;

(2) The location of the property, including the site identification number;

(3) The date and time the notice was given; and

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- (4) The method of notification, including the name of the person notified, if a person was notified.
- (h) The records required pursuant to this section shall be retained for two years.

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§6761.1. Application-Specific Information for Fieldworkers.

(a) The operator of property used for the commercial or research production of an agricultural plant commodity shall display at a central location the following application-specific information, while employees are employed to work in fields:

- (1) Identification of the treated area;
- (2) Time and date of the application;
- (3) Restricted entry interval; and
- (4) Product name, EPA registration number, and active ingredients.

(b) The information shall be displayed ~~within 24 hours of~~ when the operator of the property receives notice of the completion of an application, or before any fieldworkers are allowed to walk within ¼ mile of the treated field. ~~and~~ The information shall include all applications that have been made to any treated field on the agricultural establishment within ¼ mile of where employees will be working. The information shall remain displayed until the area no longer meets the definition of a treated field or fieldworker employees will no longer be on the establishment, whichever occurs earlier.

(c) The original or copies of documents otherwise required to be maintained by this chapter may be used to meet the requirements of this section, provided they contain the information required by this section.

(d) The operator of the property shall assure that oral notice of the location of the application-specific information is given to the following persons before employees are allowed to enter treated fields:

(1) Employees of the operator of the property;

(2) Any contractor hired by the operator of the property; and

(e) Any pest control business or labor contractor hired by the operator of the property shall assure that oral notice of the location of the application-specific information is given to his or her employees before allowing them to enter treated fields.

(f) The notices specified in (d) and (e) must be in a manner the person can understand, and repeated at least annually or when the location of the application-specific information changes.

*Underline indicates new text; strikeout indicates deleted or replaced text.

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§6770. Field Entry After Pesticide Application.

(a) The operator of the property shall not allow or direct any employee, including employees of a hired contractor, to enter or remain in a field that was scheduled to be treated until the operator has received the notice of completion as specified in section 6619.

(b) Any contractor hired by the operator of the property shall not allow or direct any of his or her employees to enter a field until the contractor has received authorization from the operator of the property.

(c) The employer shall not allow or direct any employee to enter or remain in a treated field before the restricted entry interval stated on pesticide product labeling or listed in section 6772 has expired except as provided in this section or otherwise expressly authorized by the director pursuant to Title 40 Code of Federal Regulations, Part 170.112(d) or (e).

(bd) Exception for pesticide handling activities. Employees may enter a treated field during a restricted entry interval to conduct pesticide handling activities, including soil incorporation (mechanical or watered-in), provided the employer assures that they are wearing the personal protective equipment specified on the pesticide product labeling for handling activities.

(ee) Exception for activities with no contact. An employee may enter a treated field during a restricted entry interval ~~when provided the employer assures that:~~

(1) there-There will be no contact with anything that has been treated, including soil, water, air, equipment, or plant surfaces. Operating tractors or other equipment from inside an enclosed cab or when shields or other control methods, such as operator placement, physically prevent contact of the employee with anything that has been treated is considered to be a “no contact” activity for the purposes of this section.

(2) provided that i Inhalation exposure does not exceed any pesticide product labeling standard or, for greenhouses, the ventilation criteria in section 6769 have been met.

~~Operating tractors or other equipment from inside an enclosed cab or when shields or other control methods, such as operator placement, physically prevent contact of the employee with anything that has been treated is considered to be a “no contact” activity for the purposes of this section.~~

(df) Exception for short-term, limited-contact activities. An employee may enter a treated field during a restricted entry interval specified on pesticide product labeling to conduct limited contact activities (including limited contact irrigation) that are necessary and unforeseen, provided that:

(1) The restricted entry interval is not for a pesticide product with the requirement on the labeling for both oral notification of workers and the posting of treated fields (double notification);

(2) At least 4 hours have elapsed since the end of the application;

(3) Inhalation exposure does not exceed the applicable pesticide product labeling standard or the ventilation criteria in section 6769 have been met;

(4) Exposure is minimal and limited to the feet, legs (below the knees), hands, and forearms (below the elbows);

(5) The personal protective equipment required for early entry is used by the worker. The personal protective equipment shall either: (a) conform with the label requirements for

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~~early-entry PPE; specified on pesticide product labeling for early entry~~ or (b) consist of the optional personal protective equipment of coveralls, socks, chemical resistant footwear, chemical resistant gloves, and protective eyewear (if eyewear is required by the pesticide product labeling) ~~is utilized;~~

(6) The time in treated fields under a restricted entry interval does not exceed 8 hours in any 24 hour period for each employee entering under this exception; and

(7) The employees are informed that this exception is being used ~~and about the provisions of (2), (3), and (6) orally or by posting notice.~~

(8) ~~This~~ The exception may not be used if the supporting exception granted by the U. S. Environmental Protection Agency for short-term, limited-contact activities is ~~not~~ in effect.

(eg) Exception for short-term, high-contact activities. An employee may enter a treated field during a restricted entry interval specified on pesticide product labeling to conduct other activities, not included in (b), (c), and (d) that do not involve hand labor provided that:

(1) At least 4 hours have elapsed since the end of the application;

(2) Inhalation exposure does not exceed any pesticide product labeling standard or the ventilation criteria in section 6769 have been met;

(3) The personal protective equipment specified on pesticide product labeling for early entry is used; and

(4) Entry does not exceed 1 hour in any 24-hour period for any employee.

(h) Exception for worker activities allowed by product labeling. In lieu of the requirements of subsections (e), (f) and (g), an employee may enter a treated area during a restricted entry interval to perform an activity specified in the product labeling for early entry if the employer assures that the following requirements are met:

(1) The employee follows the requirements on the pesticide labeling regarding early entry; and

(2) The personal protective equipment specified on the product labeling for early entry is used.

~~(f)~~ An employee may enter a treated field after the expiration of the restricted entry interval specified on pesticide product labeling and while a restricted entry interval specified in section 6772 is in effect as provided below:

(1) To conduct activities, other than hand labor, provided that employees are wearing work clothing with long sleeves and legs, shoes with socks, and gloves.

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§6771. Requirements for Early Entry Fieldworkers.

(a) The employer shall assure that any fieldworker, before entering the field under a restricted-entry as permitted by section 6770, has been informed, in a manner that the fieldworker can understand, of the following:

- (1) Specific restrictions and conditions pursuant to section 6770 about the work activity to be performed;
- (2) Pesticide product labeling requirements related to human hazards or precautions;
- (3) Symptoms of poisoning;
- (4) Emergency first aid and decontamination procedures for pesticide injuries or poisonings, including emergency eye flushing techniques;
- (5) How to obtain emergency medical care;
- (6) The prevention, recognition, and first aid for heat-related illness if personal protective equipment is used;
- (7) The need for, use, and care of personal protective equipment required for early entry into treated fields;
- (8) That clothing and personal protective equipment may be contaminated with pesticide residues;
- (9) Instructions for removing and storing such clothing and equipment, and laundering such equipment; and
- (10) The importance of washing thoroughly at the end of the exposure period.

(b) The employer shall provide all required personal protective equipment and provide for its cleaning (according to pesticide labeling instructions or, absent any instructions, washed in detergent and hot water), repair and replacement when it cannot be adequately cleaned or properly repaired. The employer shall assure that all personal protective equipment is inspected before each day of use. The employer shall assure that all personal protective equipment is kept separate from personal clothing, in a pesticide free, specifically designated place, when not in use. All required personal protective equipment required for fieldworker employees shall meet the applicable standards in Section 6738.

(c) The employer shall assure that personal protective equipment is used correctly for its intended purpose.

(d) The employer shall assure that cleaned personal protective equipment is dried or stored in a well-ventilated place to dry. The employer shall assure that contaminated personal protective equipment is kept and washed separately from other clothing or laundry.

(e) Personal protective equipment shall remain the property of the employer. Early entry fieldworkers shall not be allowed or directed to take home pesticide contaminated personal protective equipment. The employer shall inform any person who cleans or launders personal protective equipment that the equipment may be contaminated, about the hazards presented, and how to properly handle and clean it.

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(f) The employer shall assure that at least one pint of eyeflush water is immediately accessible (carried by the fieldworker or on a vehicle being operated by the fieldworker) to each fieldworker who is performing, during any restricted entry interval specified on pesticide product labeling, early entry activities in a treated field for which the pesticide product labeling requires protective eyewear.

(g) The employer shall assure that early entry fieldworkers engaged in tasks pursuant to Section 6770 (f), (g) and (h) are provided, at the place where they remove personal protective equipment, sufficient water, soap, and clean towels so that they may wash thoroughly at the end of the exposure period.

(h) The employer shall assure that a clean, pesticide-free place for storing personal clothing and putting on personal protective equipment at the start of work and taking off personal protective equipment at the end of the exposure period is provided for early entry fieldworkers.

(i) The employer shall take appropriate measures to prevent heat related illness, when necessary.

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